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REMARKS

The specification has been reviewed, as requested in the Office Action, to correct errors which have been noted by applicants. In amending the specification, the thermal asperity detector has been identified as the event detector of the claims. Consequently, there is no need to amend the drawing to include the event detector, because the drawing includes the event detector in the form of the thermal asperity detector.

Applicants note the indication of claims 3-9 and 12 containing allowable subject matter. Applicants also note there is no art rejection against claim 2 and request an indication of the status of claim 2.

To avoid the rejection based on 35 U.S.C. §112, second paragraph, claim 1 has been rewritten as claim 14, and claim 11 has been amended to clarify the point raised by the Examiner. To provide Applicants with the protection to which they are entitled, claims 15 and 16 have been added. The basis for the limitations of claims 15 and 16 appears in the specification in the last two paragraphs of page 2 and in the paragraph bridging pages 6 and 7.

Applicants traverse the rejection of claims 1, 10, 11 and 13 as being obvious as result of Poeppelman (U.S. 6,617,985). The Examiner admits Poeppelman is defective with regard to claims 1, 10, 11 and 13 because Poeppelman does not disclose altering or destroying corrupted sequences of an input signal.

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The Examiner says the alteration or destruction of data deemed corrupted is a logical step in a data recovery system.

However, this position is contrary to *In re Lee*, 277 F.3d 1338, 1344-45, 61 USPQ2d 1430, 1434-35 (Federal Circuit 2002). The *Lee* decision states that general conclusions concerning what is basic knowledge or common sense to one ordinary skill in the art, absent specific factual findings in some concrete evidence to support the findings, will not support a rejection based on obviousness. Based on the foregoing, the rejection of claims 1, 10, 11 and 13 is incorrect.

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Favorable reconsideration and allowance of the application are respectfully requested and deemed in order.

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Applicants hereby request a one-month extension of time in which to file this paper. Authorization for payment of the \$110 fee is attached. If in error, the Commissioner is hereby authorized to charge any overpayment or any omitted fees, including application processing, extra claims, and extension fees, to Deposit Account No. 08-2025.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

By: 

Allan M. Lowe, Reg. No. 19,641

1700 Diagonal Road, Suite 300
Alexandria, VA 22314
703-684-1111 telephone
703-518-5499 telecopier
AML:rk